

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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KEVIN MOORE, on behalf of himself and all others
similarly situated, and ROGER SNYDER, individually,

Plaintiffs,

ORDER

- against -

CV 11-1855 (AKT)

EAGLE SANITATION, INC. and
MICHAEL REALI, an individual,

Defendants.

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A. KATHLEEN TOMLINSON, Magistrate Judge:

The Court has received counsels' Joint Motion for Approval of the Settlement and Dismissal with Prejudice which was filed under seal. *See DE 33.* After conducting an *in camera* review of the proposed settlement agreement, and based upon my knowledge of the case and prior discussions with counsel, I find that the agreement to be fair and reasonable. However, in reviewing the documents, the Court notes that neither side has addressed the presumption against sealing in FLSA cases. *See Joo v. Kitchen Table, Inc.*, 763 F. Supp. 2d 643 (S.D.N.Y. 2011); *Bouzzi v. F & J Pine Rest.*, --- F.2d ---, 2012 WL 85137 (E.D.N.Y. Jan. 11, 2012); *Mosquera v. Masada Auto Sales, Ltd.*, 2011 WL 282327 (E.D.N.Y. Jan. 25, 2011). I am therefore directing the parties to review these cases and to address the sealing issue in a writing to the Court within ten (10) days. The motion is deferred until this issue is resolved.

SO ORDERED.

Dated: Central Islip, New York
April 6, 2012

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge